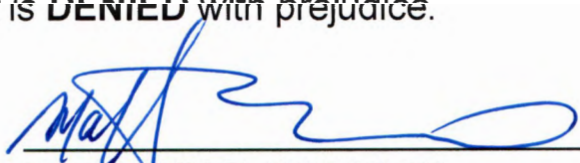


UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

United States of America, : Criminal No. 3:21-CR-40
v. : (JUDGE MANNION)
Kenneth Persise :

ORDER

Defendant has moved for a reduction of his term of imprisonment based on Amendment 821 to the United States Sentencing Guidelines. (Doc. 67.) Pursuant to Standing Order 2023-19, the Federal Public Defender's Office was appointed to represent Defendant. (Doc. 68.) Defense counsel later moved for permission to withdraw because Amendment 821 only allows for a reduction based on status points and Defendant has no criminal history or status points. (Doc 69.) The court allowed Defense counsel to withdraw, (Doc. 70), and now considers Defendant's *pro se* motion as filed. Since Defendant has no status points, Amendment 821 does not apply to him, and his motion based on that Amendment is **DENIED** with prejudice.


MALACHY E. MANNION
United States District Judge

DATE: February 14, 2024

21-40-01